

EXHIBIT C

ELLEN JEAN MITCHELL
29914 Plantation Drive
Millsboro, DE 19966

JAMES J. MITCHELL
29914 Plantation Drive
Millsboro, DE 19966

Plaintiffs

v.

TARGET CORPORATION
777 Nicollet Mall
Minneapolis, MN 55402

Serve on:
The Corporation Trust, Inc.
2405 York Road, Suite 201
Lutherville-Timonium, MD 21093

Defendant

* * * * *

* IN THE CIRCUIT COURT
* FOR WICOMICO COUNTY
* STATE OF MARYLAND

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* CASE NO.

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COMPLAINT

Ellen Jean Mitchell and James J. Mitchell, by and through their attorneys, Jordan A. Gilmore, Robert A. Benson and Laws, Insley, & Benson, P.A., sues Target Corporation and for reasons therefore states as follows:

1. Ellen Jean Mitchell, Plaintiff, is an adult resident of the State of Delaware.
2. James J. Mitchell, Plaintiff, is an adult resident of the State of Delaware.
3. Plaintiffs Ellen Jean Mitchell and James J. Mitchell are, and were at all relevant times, a lawfully married couple living together as husband and wife.
4. Defendant is a Minnesota corporation registered and doing business in the State of Maryland, who, at all relevant times, owned, managed, and operated the Target retail store located at 125 E. North Point Drive in Salisbury, Wicomico County, Maryland.
5. The incident, which is the subject matter of this action, occurred at the Target retail store owned, managed and operated by Defendant located at 125 E. North Point Drive, Salisbury, Wicomico County, Maryland.

6. On July 31, 2015, Plaintiff Ellen Jean Mitchell was inside the Target store located at 125 E. North Point Drive in Salisbury, Maryland, as an invitee in a common area during normal business hours, when she slipped and fell in a puddle of liquid on the floor of the store, causing her severe injuries more fully described below.
7. As a direct and proximate result of the failure of the Defendant to properly clear its common areas and/or warn its customers of a dangerous condition of which it was or should have been aware, Plaintiff Ellen Jean Mitchell was caused to suffer severe injuries including, but not limited to, a fracture of the femur of her left leg, all of which have caused, and will continue to cause, her great physical pain and mental anguish.
8. Solely as a result of the aforementioned injuries, Plaintiff Ellen Jean Mitchell suffered, and sustained, and will continue to suffer and sustain, a permanent shock to her nerves, nervous system and great physical pain and mental anguish.
9. Solely as a result of the aforementioned injuries, Plaintiff Ellen Jean Mitchell has been required to undergo medical treatment, including, but not limited to, multiple invasive surgeries, in an attempt to alleviate her infirmities resulting from said injuries.
10. Solely as a result of the aforementioned injuries, Plaintiff Ellen Jean Mitchell was, is, and will be required to incur necessary medical expenses in an attempt to alleviate her injuries, pain, and suffering.
11. Solely as a result of the aforementioned injuries, Plaintiff Ellen Jean Mitchell was, is, and will for an indefinite time in the future be deprived of ordinary pleasures of life, loss of well being, and equanimity.

Count I: Negligence

12. Plaintiffs incorporate herein by reference the allegations in Paragraphs 1 through 11 above as if more fully set forth herein at length.
13. The aforementioned incident occurred as a result of and was proximately caused by the careless, negligent, grossly careless, and reckless conduct of Defendant, Target Corporation; in particular:
 - a. At all relevant times the Defendant had a duty to supervise the common areas of the store so as to furnish Plaintiff Ellen Jean Mitchell and others with a safe and level floor free from hazards likely to cause physical harm to Plaintiff Ellen Jean Mitchell and others;
 - b. The Defendant breached that duty by failing to properly inspect the common areas of the store for hazards, and/or by failing to promptly warn invitees of the hazard, and/or by failing to promptly remove the hazard upon discovery;

- c. The Defendant failed to maintain the premises owned by the Defendant in good and safe condition for Plaintiff Ellen Jean Mitchell and others, failed to exercise the degree of care required under the circumstances, and was otherwise negligent.
14. As a result of the aforementioned conduct and breach of duty of care by the defendant, Target Corporation, Plaintiff Ellen Jean Mitchell sustained the injuries, losses and damages more fully described above, without any negligence of her own contributing thereto.

WHEREFORE, Plaintiff Ellen Jean Mitchell demands judgment against the Defendant in an amount greater than Seventy-Five Thousand Dollars (\$75,000.00) to be determined at trial, plus costs, pre-judgment interest, post-judgment interest, and for any other further relief that this Honorable Court deems appropriate.

Count II: Loss Of Consortium

15. Plaintiffs incorporate herein by reference the allegations in Paragraphs 1 through 14 above as if more fully set forth herein at length.
16. At the time of the incident described above and at all other relevant times, the Plaintiffs were, and are, a married couple living together as husband and wife.
17. As a result of the wrongful and negligent acts of the Defendant described above, Plaintiffs were caused to suffer, and will continue to suffer in the future, loss of consortium, loss of society, affection, assistance and conjugal fellowship, all to the detriment of their marital relationship.
18. All of the injuries and damages described above were caused solely and proximately by the negligence of the Defendant.

WHEREFORE, the Plaintiffs jointly as husband and wife, demand judgment against the Defendant in an amount greater than Seventy-Five Thousand Dollars (\$75,000.00) to be determined at trial, plus costs, pre-judgment interest, post-judgment interest, and for any other further relief that this Honorable Court deems appropriate.

/s/ Jordan A. Gilmore

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